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NOV 23 2010

OFFICE OF PETITIONS

In re Patent No. 7,083,070 :
Issue Date: August 1, 2006 :
Application No. 10/699,234 :
Filed: October 31, 2003 :
Patentee(s) Carter W. McGuyer :

ON PETITION

This is a decision on the petition under 37 CFR 1.378(c), filed October 14, 2010, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **GRANTED**.

The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. In the event that such an inquiry has been made, petitioner must make such an inquiry. If such inquiry results in the discovery that the delay in paying the maintenance fee under 37 CFR 1.378(c) was intentional, petitioner must notify the Office.

The change of correspondence address submitted with the petition on October 14, 2010 is not accepted. The Statement under 37 CFR 3.73(b) is missing. See 37 CFR 1.33(b) states:

“Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by: (1) A patent practitioner of record appointed in compliance with § 1.32(b); (2) A patent practitioner not of record who acts in a representative capacity under the provisions of § 1.34; (3) An assignee as provided for under § 3.71(b) of this chapter; or (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.”

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.



Irvin Dingle
Petitions Examiner
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cc: Arnold D. Litt
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